



# County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA  
Chief Executive Officer

May 1, 2012

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To: Supervisor Zev Yaroslavsky, Chairman  
Supervisor Gloria Molina  
Supervisor Mark Ridley-Thomas  
Supervisor Don Knabe  
Supervisor Michael D. Antonovich

From: William T Fujioka  
Chief Executive Officer

## WASHINGTON, D.C. UPDATE ON FEDERAL FISCAL YEAR 2013 APPROPRIATIONS

The House and Senate Appropriations Committees have begun work on appropriations legislation for Federal Fiscal Year (FFY) 2013, which begins on October 1, 2012. Their initial actions confirm the widely held view that Congress will defer final action on FFY 2013 appropriations to a "lame duck" session after the November elections. The most significant difference in the initial actions taken by the two houses is that the House Appropriations Committee decided to use an overall FFY 2013 discretionary spending limit of \$1,027.9 billion for its appropriations bills rather than the \$1,047 billion FFY 2013 spending limit, enacted under the Budget Control Act of 2011, which is being used in the Senate. As a result, combined funding in the 12 appropriations bills in the House will total \$19.1 billion less than in the Senate.

Both Appropriations Committees have adopted their 302(b) allocations, which divide their overall discretionary limits among the 12 individual FFY 2013 appropriations bills. The House set lower 302(b) allocations for all of the appropriations bills than the Senate did, except for Defense, which was allocated \$8.06 billion more by the House. The 302(b) allocation for Labor-Health and Human Services-Education, which funds many discretionary programs of County interest, including Workforce Investment Act, Ryan White AIDS, public health, Older Americans Act, mental health, and other health and human services programs, is one of the main sources of discretionary funding for the County, is \$7.72 billion less in the House than in the Senate. Therefore, the risk of discretionary spending cuts affecting the County is greater in House appropriations bills than in Senate versions.

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Below is a summary of Congressional actions on FFY 2013 appropriations legislation:

**FFY 2013 Commerce-Justice-Science Appropriations Bill**

The Senate Appropriations Committee approved its FFY 2013 Commerce-Justice-Science (CJS) Appropriations Bill on April 19, 2012, and the House Appropriations Committee approved its version on April 26, 2012. Overall CJS discretionary funding is reduced from \$52.701 billion in FFY 2012 to \$51.862 billion in the Senate bill and \$51.131 billion in the House bill. Overall FFY 2013 funding for the State and Local Law Enforcement Assistance account, which includes the State Criminal Alien Assistance Program (SCAAP), Byrne Justice Assistance Grants (JAG), and DNA Backlog Reduction Grant, would be cut to \$1.059 billion in the Senate bill and \$962.5 million in the House bill from \$1.163 billion in FFY 2012. State and Local Law Enforcement Assistance funding was reduced from \$1.535 billion in FFY 2010 to only \$1.118 billion in the FFY 2011 Continuing Resolution.

The House bill reduces SCAAP funding from \$240 million in FFY 2012 to \$165 million while the Senate bill increases SCAAP funding to \$255 million, which still is far below its previous funding levels. SCAAP funding has declined each year since FFY 2008 when it was funded at \$410 million. The County received its all-time low SCAAP payment of \$9.88 million in FFY 2011 when SCAAP funding totaled \$273 million, nationally. SCAAP payments for FFY 2012 have not yet been awarded.

Other funding in the FFY 2013 CJS legislation of County interest includes:

- Formula funding for Byrne JAG will increase from \$352 million in FFY 2012 to \$361 million in the House bill and \$375.4 million in the Senate bill;
- Community-Oriented Policing Services Hiring Grant funding is increased from \$141 million in FFY 2012 to \$190 million by the Senate, but is cut to \$40 million by the House;
- The Juvenile Accountability Block Grant (\$30 million), Border Prosecutor Initiative (\$10 million), and John R. Justice Student Loan Repayment Grants (\$4 million) are funded at the same level as in FFY 2012 in the Senate bill, but are not funded in the House version; and
- The DNA Backlog Reduction Grant is funded at the same level (\$117 million) as in FFY 2012 in both bills.

### **FFY 2013 Transportation-Housing Urban Development (HUD) Appropriations Bill**

The Senate Appropriations Committee approved its FFY 2013 Transportation-HUD Appropriations Bill on April 19, 2012. Overall discretionary funding is reduced from \$55.250 billion in FFY 2012 to \$53.438 billion in the Senate bill and \$51.606 billion in the House's 302(b) allocation. The House Appropriations Committee has not scheduled action on its version. The Senate bill increases funding over the FFY 2012 level for most HUD programs of County interest, including:

- Formula funding for the Community Development Block Grant is increased from \$2.948 billion in FFY 2012 to \$3.100 billion in FFY 2013;
- Section 8 Tenant-Based Rental Assistance is increased from \$17.242 billion to \$17.500 billion;
- Section 8 Project-Based Rental Assistance is increased from \$9.339 billion to \$9.800 billion;
- The Public Housing Operating Fund is increased from \$3.961 billion to \$4.600 billion;
- The Public Housing Capital Fund is increased from \$1.875 billion to \$1.990 billion; and
- Homeless Assistance Grant funding is increased from \$1.901 billion to \$2.501 billion.

The Senate bill funds the HOME Investment Partnerships Formula Grant at the same level (\$1 billion) as in FFY 2012. It also includes County-sponsored language that exempts the County from the requirement that public housing or Section 8 tenants be represented on the governing board of the County's Housing Authority, similar to language included in prior years' appropriations bills.

### **FFY 2013 Energy and Water Appropriations Bill**

The House Appropriations Committee approved its FFY 2013 Energy and Water Appropriations Bill on April 25, 2012, and the Senate Appropriations Committee approved its version on April 26, 2012. Overall funding is reduced from \$33.734 billion in FFY 2012 to \$33.361 billion in the Senate bill and \$32.098 billion in the House bill. Army Corps of Engineers' Civil Works funding is increased by \$5 million to \$5.007 billion in the Senate bill, but is reduced to \$4.814 billion in the House bill.

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The Senate bill appropriates \$5.053 million for the operation and maintenance of the Los Angeles County Drainage Area (LACDA) while \$4.876 million is provided for LACDA in the House bill. Both bills appropriate \$900,000 to the Army Corps of Engineers for its development of the California Coastal Sediment Plan.

We will continue to keep you advised.

WTF:RA  
MR:MT:sb

c: All Department Heads  
Legislative Strategist